

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.

Plaintiff,

V.

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILLICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR

Defendants.

Civil Action No. 04-10353 PBS

**ORAL ARGUMENT
REQUESTED**

SCANSOFT, INC.'S MOTION TO COMPEL DEPOSITION OF CHOATE, HALL & STEWART ATTORNEY REGARDING VIOLATION OF PROTECTIVE ORDER

Plaintiff ScanSoft, Inc. (“ScanSoft”) hereby moves pursuant to Fed. R. Civ. P. 37 for an order compelling defendant Voice Signal Technologies, Inc. (“Voice Signal”) to comply with the deposition notice duly served on December 2, 2004 and make available for deposition the person at Choate, Hall & Stewart (“Choate”) most knowledgeable concerning the receipt, maintenance, handling, review, copying, culling, delivery and analysis of the documents produced by ScanSoft in the above captioned action. The grounds for this motion are set forth in the accompanying Memorandum and exhibits thereto.¹

Accordingly, it is respectfully requested that this motion be granted. A proposed order is attached for the Court's convenience.

¹ As set forth in ScanSoft's Motion to File Memorandum Under Seal, the Memorandum in support of this motion to compel is being filed under seal pursuant to the terms of the proposed Protective Order.

CERTIFICATE PURSUANT TO CIVIL LOCAL RULE 7.1

I hereby certify that on December 9, 2004, counsel for the parties conferred by telephone in an effort to resolve the issues presented in this motion, and that the parties were unable to reach an accord.

Dated: December 15, 2004

SCANSOFT, INC.,
By its attorneys,

/s/ Jack C. Schecter
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**ORDER COMPELLING DEPOSITION OF CHOATE, HALL & STEWART
ATTORNEY REGARDING VIOLATION OF PROTECTIVE ORDER**

Upon consideration of Plaintiff ScanSoft, Inc.'s Motion to Compel Deposition of Choate, Hall & Stewart Attorney Regarding Violation of Protective Order, filed on December 15, 2004, it is hereby ordered that Choate, Hall & Stewart immediately comply with plaintiff's December 2, 2004 Notice of Deposition and make available for deposition the person at Choate, Hall & Stewart most knowledgeable concerning the receipt, maintenance, handling, review, copying, culling, delivery and analysis of the documents produced by ScanSoft in the above captioned action.

IT IS SO ORDERED:

Date

United States District Court Judge